

### REMARKS

Claims 1-12, 14 and 16-21 are pending. Claims 1, 10, 12 and 16 are the only independent claims.

Claims 1 and 9 were rejected under 35 U.S.C. § 102(e) over the Baworntummarat et al. article cited in the Office Action (“Baworntummarat”). Claims 2-7, 10-12, 14 and 16-20 were rejected under 35 U.S.C. § 103 as obvious from Baworntummarat in view of U.S. Patent 5,815,490 (Lu). Claims 8 and 21 were rejected under 35 U.S.C. § 103 as obvious from in view of Baworntummarat in view of Lu and further in view of Ramamurthy et al.

Claim 1 is directed to a ring configuration method in a mesh network consisting of a plurality of nodes, each of the nodes having a cross-connecting function, wherein a ring network (referred to as “a ring”) comprising a working path and a stand-by path is configured dynamically in response to a request for setting the working path.

In accordance with claim 1, a ring that includes both a working path and a stand-by path is configured *dynamically in response to a request* for setting a working path.

The Office Action took the position that this feature is taught in Baworntummarat at page 887, in the use of disjoint paths. This is not correct.

In Baworntummarat, two physically disjoint paths are “carefully chosen.” These paths are chosen ahead of time, i.e., when a connection is to be established between a source-destination pair. One path is selected to be the active path to support traffic during normal operation, while the other path is chosen to be the backup path for the active path.

However, there is no teaching or suggestion in the cited portions of Baworntummarat of dynamically configuring a working path and a stand-by path in response to a request for setting the working path. In Baworntummarat, the paths are selected, that is, assigned. See description of DJP Heuristic algorithm at the right column of page 888 of Baworntummarat. That portion of Baworntummarat says:

“In this step, the working paths are established for satisfying traffic demands by applying the path accommodation design as described above. Simultaneously, we also assign the restoration paths for surviving the active paths in the failure event.”

Neither this portion of Baworntummarat nor the portion quoted by the Examiner contain any teaching of the working path and a stand-by path being *configured dynamically in response to a request* for setting the working path. Baworntummarat merely teaches that the backup path is *carefully chosen*, not dynamically configured, at the same time the active path is chosen. The fact that in Baworntummarat *traffic* may be dynamically *switched* from one path to the other, in response to *an interruption*, is not at all the same thing as *dynamically configuring* the paths themselves, in response to the *request* for setting the working path, as recited in claim 1.

If the Examiner is to maintain this rejection, it is requested that the Examiner correlate some teaching in Baworntummarat of *each and every feature* of claim 1, including the recited dynamic configuring in response to a request for setting the working path. It is not proper to examine the gist of Applicant's invention. Each and every word must be given patentable weight. Applicant has found no teaching of these features in Baworntummarat.

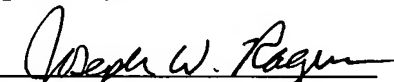
Each of other independent claims recites a substantially similar feature and is believed to distinguish over Baworntummarat for at least the same reasons. The other references do not remedy the above-mentioned deficiency of Baworntummarat as a reference against the independent claims.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

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Respectfully submitted,

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